



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

March 29, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ACCEPTANCE OF PUBLIC WORKS CONTRACT
SUPERVISORIAL DISTRICTS 1, 2, 4, AND 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contract:

Project ID No. GME0000002 - Retrofit/Replacement of Underground Storage Tanks and Fuel Facilities, Group 2, vicinities of Walnut, Lawndale, Lomita, Canyon Country, Wrightwood, and Lancaster (1, 2, 4, and 5), with changes amounting to a credit of \$12,573.46, and a final contract amount of \$1,519,853.44 (Partial Acceptance).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Acting Director-approved changes in a public works contract and Board acceptance of the work of the contract in compliance with the provisions of the Public Contract Code. Included in the enclosure are project and contract data, the scope of work of changes to be ratified and the work of the contract to be accepted.

The Acting Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID No. GME0000002.

This project has been completed, and it is recommended that your Board accept it on the date indicated in the enclosure.

Implementation of Strategic Plan Goals

The acceptance of this construction contract is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of this completed contract will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The modification to the contract amount is a credit of \$12,573.46, while the total value of the contract is \$1,519,853.44.

Ratification of these changes in work and acceptance of the work of the contract by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for this project to cover the costs of these changes and the total value of this contract. A detailed cost breakdown for these changes together with the contract cost summary are included in the enclosure.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This contract for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Acting Director of Public Works.

ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosure are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

This contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of these changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of this contract by your Board will ensure the timely closeout of this contract, releasing Departmental and County assets for other construction-related activities.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

PB:en

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT (PARTIAL)
March 29, 2005

PROJECT ID NO. GME0000002, RETROFIT/REPLACEMENT OF UNDERGROUND STORAGE TANKS AND FUEL FACILITIES, GROUP 2 (in the vicinities of Walnut, Lawndale, Lomita, Canyon Country, Wrightwood, and Lancaster), Supervisorial Districts 1, 2, 4, and 5

Contractor: Fleming Environmental, Inc., 6130 Valley View Street, Buena Park, California 90620-1030

Project Description:

Retrofit/replacement of underground storage tanks and fuel facilities.

Changes in Work:

(1) Overtime Inspection	(\$ 52.50)
(2) Install Hose Retractor	626.00
(3) Upgrade Relays at Fuel Management System	1,100.00
(4) Delete Waste Oil Tank	(13,296.96)
(5) Delete Concrete Anchors	(2,500.00)
(6) Repair Fuel Management System	250.00
(7) Relocate Emergency Shutdown Switch	<u>1,300.00</u>
Total	(\$ <u>12,573.46</u>)

Description of Changes:

(1) The contractor requested one hour of overtime inspection, resulting in a credit to the contract in the amount shown.

(2) At the Jackson Lake site, it was necessary to install a hose retractor on the diesel storage tank. This work was not shown on the plans.

(3) In order to lessen the amperage entering the relay board at the Jackson Lake site, it was necessary to upgrade the relays at the fuel management system to a higher rating than what was shown on the plans.

(4) New U.S. Forestry regulations prevented the waste oil tank from being installed at the Jackson Lake site. Therefore, the tank was deleted from the contract, resulting in a credit to the contract in the amount shown.

(5) Because of the low water table at the Canyon Lake site, it was not necessary to install the concrete anchors as shown on the plans. This resulted in a credit to the contract in the amount shown.

(6) The fuel management system at the Lancaster site was malfunctioning. In order to assess and repair the problem, it was necessary to send a representative from the company to the site.

(7) In order to provide better access to the emergency shutdown switch at the Jackson Lake site, it was necessary to relocate the switch to the office area.

The cost for Item 1 was stipulated in the contract specifications. The costs for Items 1 through 3, 6 and 7 were based on time and materials methods as provided in Subsection 3-3 of the contract specifications. The costs for Items 4 and 5 were negotiated as provided in Subsection 3-2 of the contract specifications.

Project Completion Date:

The contractor completed the project on January 15, 2004, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

We have identified additional work that may be necessary to ensure all Public Works facilities comply with State regulations. If the additional work is required, it would be in our best interest to retain the current contractor to complete this work. However, rather than delay payment of the retention to the contractor for the work that has been completed, pursuant to Section 7101 of the California Contract Code, we recommend the release of retention for the work to date. Upon completion of the additional work, we will provide your Board with our recommendation for final acceptance of the project.

Revised Contract Amount:

Original contract amount	\$1,401,950.00
Actual costs of changes in work previously approved by the Board	130,476.90
Changes in work authorized by Acting Director of Public Works	<u>(12,573.46)</u>
REVISED CONTRACT AMOUNT	<u>\$1,519,853.44</u>

ERL:en

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